

---

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH,  
CENTRAL DIVISION

---

GUY M. DOMAI,

Plaintiff,

v.

UTAH HIGHWAY PATROL; TRAVIS  
WILLIAMS; and JACOB COX,

Defendant.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 2:14-cv-00583-RJS-EJF

Judge Robert J. Shelby

Magistrate Judge Evelyn J. Furse

This case was referred to Magistrate Judge Evelyn J. Furse pursuant to 28 U.S.C. § 626(b)(1)(B). In his Complaint, Plaintiff Guy Domai alleges that the Defendants, Utah Highway Patrol, Travis Williams, and Jacob Cox, violated his Fourth Amendment rights. Specifically, Mr. Domai alleges malicious prosecution under 42 U.S.C. § 1983 in violation of his Fourth Amendment right against unreasonable search and seizure.<sup>1</sup> Defendants' Motion for Summary Judgment is now before the court.<sup>2</sup>

The Magistrate Judge issued a Report and Recommendation on September 8, 2016, recommending that the court grant Defendants' Motion for Summary Judgment.<sup>3</sup> Neither party submitted an objection to the Report and Recommendation within the time allotted.<sup>4</sup> In the absence of an objection, the court may apply a "clearly erroneous" standard of review when

---

<sup>1</sup> Dkt. 3.

<sup>2</sup> Dkt. 30.

<sup>3</sup> Dkt. 40.

<sup>4</sup> See FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)–(c) (allowing parties fourteen days to file an objection to a report and recommendation from a magistrate judge).


evaluating a Report and Recommendation. Under this standard, the court “will affirm the Magistrate Judge’s ruling unless [the court] . . . is left with the definite and firm conviction that a mistake has been committed.”<sup>5</sup>

After reviewing the briefing, record, and relevant legal authorities, the court concludes that the Magistrate Judge did not clearly err in her analysis. The court therefore ADOPTS the Report and Recommendation and GRANTS Defendants’ Motion for Summary Judgment. (Dkt. 30.) Mr. Domai’s Complaint is dismissed with prejudice.

The Clerk of Court is directed to close the case.

SO ORDERED this 27th day of September, 2016.

BY THE COURT:

  
ROBERT J. SHELBY  
United States District Judge

---

<sup>5</sup> *Thompson v. Astrue*, 2010 WL 1944779, at \*1 (D. Utah May 11, 2010) (internal quotation marks and citations omitted).